GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – BC Welfare Department – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 against Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) - Article of Charges – Orders – Issued.

BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No.48 **Dated:07-03-2022.**

Read the following:

1. From the Director General, ACB, A.P., Vijayawada, Rc.No.64/DES-VGT/2017-S.17, dated:03-07-2019.
2. G.O.Ms.No.68, BCW(Vig.D) Department, dt.04.09.2019.

-:0:-

ORDER:

In pursuance of the sanction accorded by the Government vide reference 2nd read above, under Sub-Clause (i) of clause (b) of Sub-Rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for initiating departmental proceedings against Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired), it is considered necessary to hold an inquiry against the said Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle (now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) is directed to submit his written statement of defence within ten (10) days of the receipt of the order.

4. Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) is further informed that if he does not submit his written statement of defence on or before the period specified at Para (3) above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under no circumstances Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that the said Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Mariga John Mathaiah, the then Assistant B.C Welfare Officer, Repalle, Guntur District (now retired) "through" the Director of BC Welfare, A.P., Vijayawada.

Copy to:
The Director of BC Welfare, A.P., Vijayawada. (with a request to serve and return the dated acknowledged served copy)
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.48, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI MARIGA JOHN MATHAIAH, THE THEN ASSISTANT B.C WELFARE OFFICER, REPALLE, GUNTUR DISTRICT (NOW RETIRED):-

While working as Assistant B.C Welfare Officer, Repalle, Guntur District, Sri Mariga John Mathaiah, has committed the following grave misconduct in as much as:

CHARGE:

"Sri Mariga John Mathaiah, S/o. Sri Joseph, (Retired) Assistant B. C. Welfare Officer, Repalle, Guntur District, being the immediate supervisory officer of Sri Veeranki Rama Rao, utterly failed to monitor the work of Sri Veeranki Rama Rao, Govt. B.C. Boys Hostel, Pallepalem village, Nizampatnam Mandal, Guntur District and showed slack supervision over him. As a result, Sri Veeranki Rama Rao, Hostel Welfare officer committed many irregularities as stated above. He has not given any memo to HWO, Government B. C. Boys Hostel, Pallepalem regarding these irregularities and also failed to supervise the maintenance of the hostel properly and he failed to point out the aforesaid lapses found in that hostel and take remedial action. He did not make any entry in the inspection register of the hostel from the date of his visit and he failed to bring these irregularities to the notice of the higher officials of the department".

Thus, Sri Mariga John Mathaiah, S/o Joseph, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conducts unbecoming Member of State Government Service and thereby violated Rule 3(1), 3(2) and 3(5) of A.P.C.S (conduct) Rules 1964, R/w Rule 9(2)(b) of A.P. Revised Pension Rules,1980.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.48, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE –II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI MARIGA JOHN MATHAIAH, THE THEN ASSISTANT B.C WELFARE OFFICER, REPALLE, GUNTUR DISTRICT (NOW RETIRED):-

That Sri Mariga John Mathaiah, S/o Joseph, aged 59 years, joined in Government Service on 26-03-1985 as Warden Grade-II (Now re designated as Hostel Welfare Officer Grade-II). Subsequently he was promoted as Hostel Welfare Officer Grade-I and subsequently he was promoted as Assistant B. C. Welfare Officer and from 22-05-2012 he is working at Repalle, Guntur district. While functioning as aforesaid capacity between 22-05-2012 to 15-07-2017. He is drawing basic pay of Rs.64,670/- in the time scale pay of Rs.31460/- – Rs.84970/-. His date of attaining superannuation is 31-07-2018. He is here in after referred to as Government Servant.

CHARGE:

"Sri Mariga John Mathaiah, S/o. Sri Joseph,(Retired) Assistant B.C. Welfare Officer, Repalle, Guntur District, being the immediate supervisory officer of Sri Veeranki Rama Rao, utterly failed to monitor the work of Sri Veeranki Rama Rao, Govt. B.C. Boys Hostel, Pallepalem village, Nizampatnam Mandal, Guntur District and showed slack supervision over him. As a result, Sri Veeranki Rama Rao, Hostel Welfare officer committed many irregularities as stated above. He has not given any memo to HWO, Government B. C. Boys Hostel, Pallepalem regarding these irregularities and also failed to supervise the maintenance of the hostel properly and he failed to point out the aforesaid lapses found in that hostel and take remedial action. He did not make any entry in the inspection register of the hostel from the date of his visit and he failed to bring these irregularities to the notice of the higher officials of the department".

FACTS AND EVIDENCE:

On credible information that Sri Veeranki Rama Rao, S/o Veeraiah, aged 58 years, Hostel Welfare Officer, Govt. B.C. Boys Hostel, Pallepalem village, Nizampatnam Mandal, Guntur District is not maintaining Records/Registers properly and committing irregularities, a Surprise Check was conducted on the above mentioned hostel by the District Inspector, ACB, Guntur District on 15-07-2017 in between 06.00 am and 5.00 pm in the presence of two respectable mediators. During the course of surprise check various irregularities were noticed in maintenance of the hostel by the Hostel Welfare Officer, Govt. B.C.Welfare Hostel, Pallepalem which are clearly mentioned in the Surprise check proceedings dated 15.07.2017, when the registers and records verified it is noticed that no instructions were left by the Government Servant to the Hostel Welfare Officer, Govt. B.C. Welfare Hostel, Pallepalem, Guntur District. When perused the Visitors register, the same was not opened for the year 2017-18.

Hence, it is clear that the Government Servant never visited the hostel and did not give any instructions to the Hostel Welfare Officer and thereby failed to closely supervise the activities of the Hostel Welfare Officer, Govt. B.C. Welfare Hostel, Pallepalem, Guntur District.

Thus, the said Sri Mariga John Mathaiah, S/o Joseph, ABCWO, by his above mentioned acts, he exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service by contravened Rule 3(1), 3(2) and 3(5) of A.P.C.S (conduct) Rules 1964, R/w Rule 9(2)(b) of A.P. Revised Pension Rules,1980.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.48, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI MARIGA JOHN MATHAIAH, THE THEN ASSISTANT B.C WELFARE OFFICER, REPALLE, GUNTUR DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED:

1. Statement of Nalluri Naga Sai Eswar S/o Srininvasarao, 13 years, Mangali, 7th class, ZPHS, Adavuladeevi Village. R/o Adavuladeevi village, Nizampatnam Mandal, Guntur District.

2. Statement of Gudipalli Shivaji S/o Bikshalu, age 14 years, gowda caste, 9th class, ZPHS, Adavuladeevi, N/o Veerankivaripalem village, Nizampatnam mandal.

3. Statement of Karna Hemanthu S/o Srinivasarao, age 14 yrs, 9th class, ZPHS, Adavuladeevi, N/o Palakurthy village, Repalle Mandal, Guntur District. r/o Adavuladeevi (v), Nizampatnam (m), Guntur District.

4. Statement of Jonna Venkateswararao S/o Vuyyuru, aged 14 yrs, 9th class, ZPHSchool, Adavuladeevi (V), N/o Juvvalapalem (v), Nizampatnam Mandal, r/o Adavuladeevi village, Nizampatnam (M), Guntur District.

5. Statement of Sonti Durga Rao S/o Srinivasarao, age 14 years, 9th class, ZPHS, Adavuladeevi N/o Veerankivaripalem (v), Nizampatnam Mandal, Guntur District.

6. Statement of Yarragandla Yesu Babu S/o Basavaiah, 15 yrs, 9th class, ZPHS, Adavuladeevi, N/o Veerankivaripalem (v), Nizampatnam Mandal, Guntur District.

7. Statement of Thulluru Venkata Gopala Rao S/o Ramesh, 14 yrs, 9th class, ZPHS, Adavuladeevi, N/o Sontivaripalem, Nizampatnam (m), Guntur District.

8. Statement of Smt. Veeranki Nancharamma W/o Saibabu, age 45 years, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private cook of the Hostel).

9. Statement of Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)

10.Statement of Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel):

11.Statement of Mariga John Mathaiah S/o Joseph, age 59 yrs, Asst. B.C.Welfare Officer, Repalle R/o Pakala vari Veedi, 3rd ward, Repalle, Guntur District.

12.Mediators Report (Surprise Check Proceedings) drafted on 15-07-2017 at Govt. B.C. Boys Hostel, Pallepalem Village, Nizampatnam Mandal, Guntur district.

13. Admission Register of the boarders.

14. Boarders Attendance Register.

15. (A) Attendance Register of the staff.

(B) Attendance Register of the Staff.

16. (A) Diet Stock and Issue Register.

(B) Diet Stock and Issue Register

17. Cosmetics Register

18. Boarders Movement Register.

19. Cash book.

20. Contingent Acquaintance Register.

21. Pay bills Register.

22. Minutes book of Hostel advisory Committee

23. Letter of Smt. Kalpana Bebi, Deputy Director, B.C. Welfare, Guntur vide Rc. No.A1/78/2017, dt.: 03.08.2017 and dt. 3-11-2018.

24.Letter of Head Master, ZP High School, Adavuladeevi village with regard to the list of hostel boarders studying in ZP High School, Adavuladeevi village, dt.22-02-2018.

25. If any document found necessary they will be produced at the time enquiry.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.48, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI MARIGA JOHN MATHAIAH, THE THEN ASSISTANT B.C WELFARE OFFICER, REPALLE, GUNTUR DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED:

	Name and address of witness	Gist of the statement.
01	Nalluri Naga Sai Eswar S/o Srininvasarao, 13 years, Mangali, 7th class, ZPHS, Adavuladeevi Village. R/o Adavuladeevi village, Nizampatnam Mandal, Guntur District.(Boarder)	To speaks about the lack of infrastructure provided in the Hostel viz. Lights, Toilets, poor sanitation, no Blankets are provided and poor quality of Rice is using for cooking in the hostel, and none of the Government Servants are residing in Head Quarters i.e., in the hostel premises etc facts.
02	Gudipalli Shivaji S/o Bikshalu, age 14 years, gowda caste, 9th class, ZPHS, Adavuladeevi, N/o Veerankivaripalem village, Nizampatnam mandal.(Boarder)	To speaks about the lack of infrastructure provided in the Hostel viz. Lights, Toilets, poor sanitation, no Blankets are provided and poor quality of Rice is using for cooking in the hostel, and none of the Government Servants are residing in Head Quarters i.e., in the hostel premises etc facts.
03	Karna Hemanthu S/o Srinivasarao, age 14 yrs, 9th class, ZPHS, Adavuladeevi, N/o Palakurthy village, Repalle Mandal, Guntur District. r/o Adavuladeevi (v), Nizampatnam (m).(Boarder)	To speaks about the lack of infrastructure provided in the Hostel viz. Lights, Toilets, poor sanitation, no Blankets are provided and poor quality of Rice is using for cooking in the hostel, and none of the Government Servants are residing in Head Quarters i.e., in the hostel premises etc facts.
04	Jonna Venkateswararao S/o Vuyyuru, aged 14 yrs, 9th class, ZPHSchool, Adavuladeevi (V) N/o Juvvalapalem(v),Nizampatnam Mandal,r/oAdavuladeevi village, Nizampatnam (M), Guntur District.	To speaks about the lack of infrastructure provided in the Hostel viz. Lights, Toilets, poor sanitation, no Blankets are provided and poor quality of Rice is using for cooking in the hostel, and none of the Government Servants are residing in Head Quarters i.e., in the hostel premises etc facts.
5	Sonti Durga Rao S/o Srinivasarao, age 14 years, 9th class, ZPHS, AdavuladeeviN/oVeerankivaripalem (v), Nizampatnam Mandal, Guntur District.(Boarder)	To speaks about the lack of infrastructure provided in the Hostel viz. Lights, Toilets, poor sanitation, no Blankets are provided and poor quality of Rice is using for cooking in the hostel, and none of the Government Servants are residing in Head Quarters i.e., in the hostel premises etc facts.

6	yarragandla Yesu Babu S/o Basavaiah, 15 yrs, 9th class, ZPHS, Adavuladeevi,N/oVeerankivaripalem (v), Nizampatnam Mandal, Guntur District.(Boarder)	To speaks about the lack of infrastructure provided in the Hostel viz. Lights, Toilets, poor sanitation, no Blankets are provided and poor quality of Rice is using for cooking in the hostel, and none of the Government Servants are residing in Head Quarters i.e., in the hostel premises etc facts.
9	Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)	To speaks about the absence of Government servants from their duties on the date of surprise check,and not residing at the head quarters i.e. in the hostel premises and also speaks about her appointment as assistant to private cook by Kamati etc,,. facts.
10	Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel):	To speaks about the absence of Government servant from his duties on the date of surprise check,and not residing at the head quarters i.e. in the hostel premises and also speaks about his appointment as a private worker in the hostel by the Hostel Welfare Officer and etc facts.,
11	Smt. D. Kalpana Devi, Deputy Director, (FAC), B.C. Welfare, Guntur.	To speaks about submitting of the Service particulars and Job Chart of the Govt. Servants and details of Diet charge of boarders etc,,. facts.
12	Head Master, ZP High School, Adavuladeevi village, Nizampatnam Mandal.	To speaks about the details of the attending students as well as drop-outs of their school etc facts.
13	Smt. S.Asha Latha, STO, Nagaram, Guntur District.	To speaks about the non drawl of Diet charges by the HWO except Salary Bills.
14	Sri Manchala John Rathnakanth Babu S/o Varadanam, age 38 yrs, Royality Inspector, O/o Deputy Director, Mines and Geology, Guntur. (Mediator-I)	He is the one of the Mediator and they speak about their presence during the surprise check, acting as mediators, drafting mediators report, seized concerned registers and etc., facts.
16	Sri Patan Mastan S/o Khasim Khan, age 45 yrs, Sr.Asst, O/o Deputy Director, Mines and Geology, Guntur. (Mediator-II).	He is the one of the Mediator and they speak about their presence during the surprise check, acting as mediators, drafting mediators report, seized concerned registers and etc., facts.
17	Sri Sk.T.Firoz, Formerly District Inspector, ACB, Guntur, Now working as SHO, Lalapet, Guntur Urban District.	He is the investigating officer and speaks about the conducting of surprise check in presence of Mediators, seized concerned registers. Submission of detailed report and etc., facts.

18	Sri Ch. Ravi Babu, District Inspector, ACB, Guntur.	He is the investigating officer and speaks about the preparation and filing of Draft Article Charges against the erroneous Government Servants and etc., facts.
19	If any witness found to be relevant will be produced during the enquiry.	

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER